

REMARKS/ARGUMENTS

The status of the application is as follows:

- Claims 1-21 are pending. Claims 1-21 have been amended herein.
- Claims 1-21 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Rapaport et al (US 5,890,152).

The rejection is discussed below.

The Rejection under 35 U.S.C. 103(a)

Claims 1-21 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Rapaport et al. This rejection should be withdrawn because Rapaport et al does not teach or suggest all the limitations of the subject claims and, therefore, does not establish a *prima facie* case of obvious with respect to claims 1-21.

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, (CCPA 1974). MPEP §2143.03.

Rapaport et al. is directed towards a system with a Personal Feedback browser for obtaining media files from a computer network, such as the Internet and/or an intranet, and displaying the media files based on a viewer profile in order to make internet data more useful to a user. (See Abstract; column 1, lines 6-13; column 2, lines 9-12 and 27-29; and Fig. 1). The instant application relates to obtaining information obtained from multiple different information sources and presenting the information in a personalized and organized manner. Examples of suitable sources include the Internet, radio, television, satellite, telephone, and computer readable medium. (See, for example, page 13, line 10 – page 14, line 15; and Fig. 4).

Amended independent **claim 1** is directed towards a method comprising, *inter alia*, populating the virtual library with a plurality of different virtual media collections in

accordance with the user profile in which the plurality of the different virtual media collections includes information obtained from a broadcasted television signal. Rapaport et al. is devoid of any teaching or suggestion regarding obtaining media files from a broadcasted television signal. In contrast, Rapaport et al. discloses obtaining media files from a computer network such as the Internet and/or an intranet. Rapaport et al. states that the system may be a web-enabled television available from WebTV Networks, Inc. However, with this television a separate media converting system receives Internet data from a modem and converts the data to a format that can be displayed on a television monitor, and the television receives both the broadcasted television signal and the converted Internet data. Nowhere does Rapaport et al. teach or suggest obtaining the media files from a broadcasted television signal. Accordingly, the rejection of claim 1 should be withdrawn.

Amended **claim 2**, which depends from claim 1, recites that the plurality of the different virtual media collections includes information obtained from an analog television signal. As discussed *supra*, Rapaport et al. teaches obtaining media files from data obtained through a computer network, and does not teach or suggest obtaining media files from an analog television signal. As such, this rejection should be withdrawn.

Amended **claim 3**, which depends from claim 1, recites that the plurality of the different virtual media collections includes information obtained from a vertical blanking interval of an analog television signal. Again, Rapaport et al. teaches obtaining media files from data obtained through a computer network; Rapaport et al. does not teach or suggest obtaining media files from a vertical blanking interval of an analog television signal. Therefore, this rejection should be withdrawn.

Amended **claim 4**, which depends from claim 1, recites that the plurality of the different virtual media collections includes information received from a radio, a cable, and a satellite broadcast. Rapaport et al. teaches obtaining media files from data transmitted over a computer network, and does not teach or suggest obtaining media files

from radio, cable, and satellite broadcast signals. Thus, this rejection should be withdrawn.

Claims 5-14 have been amended to fix minor informalities. These claims depend from claim 1 and are allowable at least based on their dependencies.

Amended independent **claim 15** is directed towards a receiver that includes, *inter alia*, a recommender that recommends virtual media in virtual multiple media collections in a virtual library to a user based on a user profile for the user. Rapaport et al. is silent regarding a recommender, let alone a recommender that recommends virtual media in virtual multiple media collections in a virtual library to a user based on a user profile for the user. Accordingly, the rejection of claim 15 should be withdrawn.

Amended **claim 17**, which depends from claim 15 through claim 16, recites that the virtual multiple media collections include information obtained from a broadcasted television signal and the Internet. As discussed above, Rapaport et al. discloses obtaining media files from the Internet, but does not teach or suggest obtaining media files from a broadcasted television signal, let alone both the Internet and a broadcasted television signal. Accordingly, this rejection should be withdrawn.

Claims 16 and 18 have been amended to fix minor informalities. These claims depend from claim 15 and are allowable at least based on their dependencies.

Amended independent **claim 19** includes a virtual library that is populated with different types of media obtained from different media sources. In contrast, Rapaport et al. discloses obtaining media files from a single media source – the Internet. As such this rejection should be withdrawn.

Amended **claim 21**, which depends from claim 19 through claim 20, recites that the different media sources include internet data and a broadcasted television signal. As note above, Rapaport et al. discloses obtaining media files solely from the Internet. Therefore, this rejection should be withdrawn.

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Claim 20 has been amended to fix minor informalities. These claims depend from claim 19 and are allowable at least based on their dependencies.

Conclusion

In view of the foregoing, it is submitted that the subject claims distinguish patentably and non-obviously over the prior art of record. An early indication of allowability is earnestly solicited.

Respectfully submitted,

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